

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of	)	
	)	
Petition Pursuant to 47 U.S.C. § 160(c)	)	WT Docket No. 02-377
For Forbearance from E911	)	
Accuracy Standards in Section 20.18(h)	)	
Of the Commission's Rules	)	

**COMMENTS OF CABLE & COMMUNICATIONS CORPORATION**

Cable & Communications Corporation ("C&CC"), by its attorneys, and in response to the Commission's invitation,<sup>1</sup> hereby submits comments in support of the captioned Petition. C&CC, a Tier III wireless carrier,<sup>2</sup> provides cellular service to sparsely-populated areas of Montana. C&CC has not yet received a request for E911 Phase I or Phase II capability from any Public Service Answering Point ("PSAP"), but, in recognition of its regulatory obligations, has already undertaken a serious and extended investigation of the various methodologies available to small and rural companies for implementation of automatic location identification ("ALI") requirements. Based upon this experience, C&CC is able to confirm that it is not aware of any network-based or analog handset ALI solution which will achieve the accuracy requirements specified by

<sup>1</sup> See *Wireless Telecommunications Bureau Seeks Public Comment on Petition for Forbearance From E911 Accuracy Standards Imposed on Tier III Carriers*, WT Docket No. 02-377, Public Notice, DA 02-3470 (rel. Dec. 17, 2002).

<sup>2</sup> C&CC meets the definition for a Tier III carrier adopted by the Commission in *Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, CC Docket No. 940192, Order to Stay, 17 FCC Rcd 14831 (2002) at para. 22-23. having served fewer than 500,000 subscribers as of year-end 2001

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Section 20.18(h) of the Commission's Rules. Accordingly, C&CC concurs with the Petitioner's conclusion that the public interest would be served by adoption of the proposed limited forbearance.'

C&CC is a wholly-owned subsidiary of Mid-Rivers Telephone Cooperative, Inc, a telephone cooperative serving more than 30,000 square miles in rural Montana. C&CC serves "fill-in" cellular markets – i.e., service areas abandoned by the original cellular licensees. Throughout its estimated 10,000 square mile cellular service area, there exists competitive wireless service in only one small town, accounting for a mere 10% of C&CC's total service area. Serving the most rural portions of three different Rural Service Areas ("RSAs") spread over 14 counties, and under the jurisdiction of 12 distinct PSAPs, C&CC serves, on average, fewer than five subscribers per square mile.

Service to this area was undertaken by the cooperative's affiliate largely because no other wireless service was available to large numbers of the telephone company's member-subscribers. Accordingly, while C&CC's provision of wireless service is not motivated solely by the pursuit of profit, the small number of subscribers mandates strict cost control. This concept is reflected in C&CC's system design, consisting of three distinct "string-of-pearls" cell-site configurations, utilizing omni-directional antennas to maximize coverage per cell site. In addition, subscribers generally maximize their access to C&CC's service through the use of three-watt analog phones.<sup>4</sup>

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Given the characteristics of the C&CC service area, the stark reality is that the cost of implementing any ALI solution identified at this point threatens the continuity of C&CC wireless operations.

<sup>4</sup> The primary reason C&CC chose a network-based ALI solution was its recognition that subscribers' access to wireless service within the current network configuration would suffer if the three-watt analog "bag" phones were abandoned. See Cable & Communications Corporation (TR# 812411), Revision to E911 Phase II Implementation Report, filed Sept. 14, 2001, supp. Oct. 12, 2001.

C&CC is actively negotiating with two equipment vendors, as well as two different database vendors, database access being another necessary component of a network-based ALI solution. Given its current “string-of-pearls” network configuration, C&CC cannot support the triangulation methodology of location identification or the Time Difference of Arrival methodology without the construction of additional tower sites and the acquisition of position determining equipment. Accordingly, C&CC likely will utilize Angle-of-Arrival (“AOA”) technology.<sup>5</sup>

At present, however, it is unclear that C&CC’s existing tower structures will support the required specialized AOA antennas and associated feed lines. In addition, it is not yet known whether additional sites dedicated to AOA antennas will be necessary to achieve even predicted ALI compliance because of the service area’s hilly terrain. In fact, C&CC has not been able to secure a vendor’s guarantee that the construction of an AOA configuration at the cost of approximately \$500 per subscriber will conform to existing accuracy requirements.

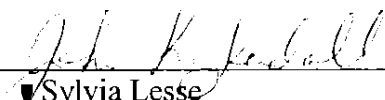
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<sup>5</sup> For a discussion of **AOA**, see Petition Pursuant to 47 U.S.C. § 160(c) for Forbearance from E911 Accuracy Standards Imposed on Tier III Carriers, Appendix D, Engineering Declaration of James C. Egyud, p. 2.

C&CC's anecdotal information is submitted to demonstrate the economic and technical rationality of Petitioners' request. The minimal relief afforded Tier III carriers could yield the significant cost breakthroughs which would enhance the ability of small and rural carriers to deploy ALI without endangering their financial stability. Accordingly, C&CC supports the Petition and urges the Commission's prompt grant.

Respectfully submitted,

CABLE & COMMUNICATIONS CORP.

By:   
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January 24, 2003

### CERTIFICATE OF SERVICE

I, Naomi Adams, of Kraskin, Lesse & Cosson, LLC, 2120 L Street, NW, Suite 520, Washington, DC 20037, do hereby certify that a copy of the foregoing "Comments of Cable & Communications Corporation" in WT Docket No. 02-377 was served on this 24<sup>th</sup> day of January 2003, via hand delivery or first class, U.S. Mail, postage prepaid to the following parties:

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